

In the claims:

1. (withdrawn) A DNA fragment which encodes a *B. mallei* AHS protein.
2. (withdrawn) The DNA fragment of claim 1, wherein said DNA fragment is *bmaI3* comprising the sequence specified in SEQ ID NO:2 or a sequence with 90% identity to *bmaI3*.
3. (withdrawn) The DNA fragment of claim 1, wherein said DNA fragment is *bmaI1* comprising the sequence specified in SEQ ID NO:1, or a sequence with 90% identity to *bmaI1*.
4. (withdrawn) A DNA fragment which encodes a *B. mallei* LuxR transcriptional regulator gene.
5. (withdrawn) The DNA fragment of claim 4 wherein said DNA fragment is *bmaR1* comprising the sequence specified in SEQ ID NO:3, or a sequence with 90% identity to *bmaR1*.
6. (withdrawn) The DNA fragment of claim 4 wherein said DNA fragment is *bmaR3* comprising the sequence specified in SEQ ID NO:4, or a sequence with 90% identity to *bmaR3*.
7. (withdrawn) The DNA fragment of claim 4 wherein said DNA fragment is *bmaR4* comprising the sequence specified in SEQ ID NO:5, or a sequence with 90% identity to *bmaR4*.
8. (withdrawn) The DNA fragment of claim 4 wherein said DNA fragment is *bmaR5*, said DNA fragment comprising the

In re Application of: Ulrich et al.

Serial no. 10/620,242

sequence specified in SEQ ID NO:6, or a sequence with 90% identity to *bmaR5*.

9. (withdrawn) A DNA fragment which encodes a *B. pseudomallei* AHS protein.

10. (withdrawn) A DNA fragment of claim 9 wherein said fragment is *bpmI1* comprising the sequence specified in SEQ ID NO:7, or a sequence with 90% identity to *bpmI1*.

11. (withdrawn) A DNA fragment of claim 9 wherein said fragment is *bpmI2*, said DNA fragment comprising the sequence specified in SEQ ID NO:8, or a sequence with 90% identity to *bpmI2*.

12. (withdrawn) A DNA fragment of claim 9 wherein said fragment is *bpmI3*, said DNA fragment comprising the sequence specified in SEQ ID NO:9, or a sequence with 90% identity to *bpmI3*.

13. (withdrawn) A DNA fragment which encodes a *B. pseudomallei* LuxR transcriptional regulator.

14. (withdrawn) A DNA fragment of claim 13 wherein said fragment is *bpmR1*, said DNA fragment comprising the sequence specified in SEQ ID NO:10, or a sequence with 90% identity to *bpmR1*.

15. (withdrawn) A DNA fragment of claim 13 wherein said fragment is *bpmR2*, said DNA fragment comprising the sequence specified in SEQ ID NO:11, or a sequence with 90% identity to *bpmR2*.

16. (withdrawn) A DNA fragment of claim 13 wherein said fragment is *bpmR3*, said DNA fragment comprising the sequence specified in SEQ ID NO:12, or a sequence with 90% identity to *bpmR3*.

17. (withdrawn) A DNA fragment of claim 13 wherein said fragment is *bpmR4*, said DNA fragment comprising the sequence specified in SEQ ID NO:13, or a sequence with 90% identity to *bpmR4*.

18. (withdrawn) A DNA fragment of claim 13 wherein said fragment is *bpmR5*, said DNA fragment comprising the sequence specified in SEQ ID NO:14, or a sequence with 90% identity to *bpmR5*.

19. (withdrawn) A recombinant DNA construct comprising:
 (i) a vector, and
 (ii) at least one of the *B.mallei* DNA fragments chosen from the group consisting of SEQ ID NO:1, 2, 3, 4, 5, and 6 or a sequence with 90% identity to said sequence.

20. (withdrawn) A recombinant DNA construct comprising:
 (i) a vector, and
 (ii) at least one of the *B.pseudomallei* DNA fragments chosen from the group consisting of SEQ ID NO:7, 8, 9, 10, 11, 12, 13, and 14 or a sequence with 90% identity to said sequence.

21. (withdrawn) A recombinant DNA construct according to claim 19, wherein said vector is an expression vector.

In re Application of: Ulrich et al.

Serial no. 10/620,242

22. (withdrawn) A recombinant DNA construct according to claim 20, wherein said vector is an expression vector.

23. (withdrawn) The recombinant DNA construct according to claim 21, wherein said vector is a prokaryotic vector.

24. (withdrawn) The recombinant DNA construct according to claim 22, wherein said vector is a prokaryotic vector.

25. (withdrawn) A host cell transformed with a recombinant DNA construct according to claim 20.

26. (withdrawn) A host cell transformed with a recombinant DNA construct according to claim 21.

27. (withdrawn) A host cell according to claim 25, wherein said cell is prokaryotic.

28. (withdrawn) A host cell according to claim 26, wherein said cell is prokaryotic.

29. (withdrawn) A host cell according to claim 25, wherein said cell is eukaryotic.

30. (withdrawn) A host cell according to claim 26, wherein said cell is eukaryotic.

31. (withdrawn) A method for producing a peptide which comprises culturing the cells according to claim 25, under conditions such that said DNA fragment is expressed and said peptide is thereby produced.

In re Application of: Ulrich et al.

Serial no. 10/620,242

32. (withdrawn) A method for producing a peptide which comprises culturing the cells according claim 26, under conditions such that said DNA fragment is expressed and said peptide is thereby produced.
33. (withdrawn) An isolated recombinant *B.mallei* AHS peptide produced by the method of claim 31.
34. (withdrawn) An isolated recombinant *B.mallei* LuxR peptide transcriptional regulator produced by the method of claim 32.
35. (withdrawn) An isolated recombinant *B. pseudomallei* AHS peptide produced by the method of claim 32.
36. (withdrawn) An isolated recombinant *B. pseudomallei* LuxR transcriptional regulator peptide produced by the method of claim 32.
37. (withdrawn) An isolated and purified *B. mallei* AHS protein chosen from the group specified in SEQ ID NO:15 and 16 and conservative substitutions thereof.
38. (withdrawn) An isolated and purified *B. mallei* LuxR transcriptional regulator protein chosen from the group specified in SEQ ID NO:17, 18, 19 and 20 and conservative substitutions thereof.
39. (withdrawn) An isolated and purified *B. pseudomallei* AHS protein chosen from the group specified in SEQ ID NO:21, 22, and 23 and conservative substitutions thereof.

In re Application of: Ulrich et al.

Serial no. 10/620,242

40. (withdrawn) An isolated and purified *B. pseudomallei* LuxR transcriptional regulator protein chosen from the group specified in SEQ ID NO:24, 25, 26, 27, and 28 and conservative substitutions thereof.

41. (withdrawn) An antibody to a peptide encoded by a sequence chosen from the group consisting of the sequences specified in SEQ ID NO:15, 16, 17, 18, 19, and 20.

42. (withdrawn) An antibody to a peptide encoded by a sequence chosen from the group consisting of the sequences specified in SEQ ID NO:21, 22, 23, 24, 25, 26, 27, and 28.

43. (withdrawn) A method for screening agents or drugs which reduce or eliminate *B. mallei* virulence said method comprising detecting a decrease BmaI3 enzyme activity in the presence of said agent or drug.

44. (withdrawn) An agent or drug capable of inhibiting *B. mallei* BmaI3 enzyme activity.

45. (withdrawn) A therapeutic compound comprising said agent or drug according to claim 45 for use in treatment of glanders disease.

46. (withdrawn) A method for detecting *bpmI2* in a sample using the polymerase chain reaction.

47. (withdrawn) A diagnostic kit for detecting *bmaI3* RNA/cDNA in a sample comprising primers or oligonucleotides specific for *bmaI3* RNA or cDNA suitable for hybridization

In re Application of: Ulrich et al.

Serial no. 10/620,242

to *bmaI3* RNA or cDNA and amplification of *bmaI3* sequences and suitable ancillary reagents.

48. (withdrawn) A therapeutic method for the treatment or amelioration of diseases resulting from *B. mallei*, said method comprising providing to an individual in need of such treatment an effective amount of an agent or drug which reduces or eliminates BmaI3 expression or function in a pharmaceutically acceptable diluent.

49. (currently amended) A mutant *B.mallei* strain with reduced virulence wherein said strain is altered in expression or function of BmaI3 encoded by the sequence identified in SEQ ID NO:2.

50. (currently amended) An avirulent *B.mallei* strain devoid of BmaI3 activity wherein said BmaI3 is encoded by the sequence identified in SEQ ID NO:2.

51. (currently amended) A *B.mallei* vaccine strain comprising *B.mallei* having a non-revertant mutation in *bmaI3* specified in SEQ ID NO:2, wherein said strain has reduced virulence and is devoid of BmaI3 activity.

52. (original) The *B. mallei* vaccine strain of claim 51 wherein said strain further contains another non-revertant loss-of-function mutation in a gene chosen from the group consisting of *bmaI3*, *bmaI1*, and *bmaR5*.

53. (previously amended) A vaccine for glanders comprising *B.mallei* vaccine strain according to claim 51 and a pharmaceutically acceptable carrier.

54. (previously amended) A vaccine for glanders comprising *B.mallei* vaccine strain according to claim 52 and a pharmaceutically acceptable carrier.

55. (withdrawn) A *B.pseudomallei* vaccine strain comprising *B.pseudomallei* having a non-revertant mutation in *bpmI3*, wherein said strain has reduced virulence and is devoid of BpmI3 activity.

56. (previously amended-withdrawn) The *B. pseudomallei* vaccine strain of claim 55 wherein said strain further contains another non-revertant loss-of-function mutation in a gene chosen from the group consisting of *bpmI3*, *bpmI1*, and *bpmR5*.

57. (withdrawn) A vaccine for meliodosis comprising the *B.pseudomallei* vaccine strain according to claim 55.

58. (previously amended- withdrawn) A vaccine for meliodosis comprising *B.pseudomallei* vaccine strain according to claim 56 and a pharmaceutically acceptable carrier.

59. (previously amended) A vaccine for meliodosis comprising the *B.mallei* vaccine strain of claim 51 and a pharmaceutically acceptable carrier.

60. (previously amended) A vaccine for meliodosis comprising the *B.mallei* vaccine strain of claim 52 and a pharmaceutically acceptable carrier.

In re Application of: Ulrich et al.

Serial no. 10/620,242

61. (withdrawn) A method to elicit a *B.mallei* immune response in a mammal, said method comprising administering to said mammal a composition comprising the *B.mallei* vaccine strain of claim 51.

62. (withdrawn) An *Burkholderia* infection diagnostic kit comprising at least 12 consecutive nucleotides of any of SEQ ID NO:1-14 specific for the amplification of DNA or RNA of *Burkholderia* in a sample using the polymerase chain reaction and ancillary reagents suitable for use in such a reaction for detecting the presence or absence of *Burkholderia* DNA or RNA in a sample.

63. (withdrawn) A method for distinguishing between *B. mallei* and *B. pseudomallei*, said method comprising detecting the presence of *bpmIR2*, wherein presence of *bpmIR2* indicates the presence of *B. pseudomallei*.

64. (previously presented). The avirulent *B. mallei* strain of claim 50, wherein said strain is GB8:bpmI3.

65. (previously presented). The *B. mallei* vaccine strain of claim 51 wherein said strain is GB8:bpmI3.

66. (previously presented). The vaccine of claim 53 wherein said *B. mallei* vaccine strain is GB8:bpmI3.

67. (previously presented). The vaccine of claim 59 wherein said *B. mallei* vaccine strain is GB8:bpmI3.